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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Manuel GURROLA** Defendant.	Magistrate Case No. '08 MJ 0075 COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Section 1324(a)(2)(B)(iii)- Bringing in Illegal Aliens Without Presentation

The undersigned complainant being duly sworn states:

On or about January 9, 2008, within the Southern District of California, defendant **Manuel GURROLA**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an aliens, namely, **Elvira GUTIERREZ-Salas, Juan Manuel AMBRIZ-Orozco, and Miguel Angel NAVA-Sereno**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Claudia Rios, Customs and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 10th DAY OF **January 2008**.

UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

The complainant states that **Elvira GUTIERREZ-Salas, Juan Manuel AMBRIZ-Orozco, and Miguel Angel NAVA-Sereno** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 9, 2008, at approximately 1130 hours, **Manuel GURROLA (Defendant)**, applied for admission to the United States through vehicle primary lane 09 of the San Ysidro, California Port of Entry. Defendant was the driver of a 2001 Dodge Stratus. The United States Customs and Border Protection (CBP) Officer took two negative declarations from the Defendant. The CBP Officer queried the license plate of the vehicle through a CBP computer database and received a computer generated referral which indicated the vehicle was stolen. During the course of the inspection, the CBP Officer discovered four (4) persons concealed in the trunk of the vehicle. Defendant, all occupants, and vehicle were escorted to secondary. The vehicle was driven into the secondary lot for further inspection.

In secondary, the four (4) persons concealed in the trunk admitted to being citizens of Mexico with no entitlements to enter the United States. Three (3) of the four (4) individuals were retained as Material Witnesses. They are now identified as **Elvira GUTIERREZ-Salas (MW1), Juan Manuel AMBRIZ-Orozco (MW2), and Miguel Angel NAVA-Sereno (MW3)**.

During a videotaped interview, Defendant was advised of his Miranda rights and elected to answer questions without an attorney present. Defendant admitted knowledge of the concealed undocumented persons in the trunk of the vehicle. Defendant stated he was to take the vehicle and concealed undocumented persons to a specific location in Chula Vista, CA. Defendant admitted he was to be paid $1000.00 to smuggle the undocumented persons into the United States through the Port of Entry.

A videotaped interview was conducted with the Material Witnesses. Material Witnesses stated that they are citizens of Mexico and that they have no documents to lawfully enter the United States. Material Witnesses stated that they made individual arrangements directly with unknown smugglers in Tijuana, Mexico and were to pay smuggling fees ranging from $3,900 to $4,200 USD upon successfully being smuggled into the United States. Material Witnesses admitted their intentions were to travel to Los Angeles, CA for the purpose of residing and seeking employment.